

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Vasek Pospisil, Nicholas Kyrgios, Anastasia Rodionova, Nicole Melichar-Martinez, Saisai Zheng, Sorana Cîrstea, John-Patrick Smith, Noah Rubin, Aldila Sutjiadi, Varvara Gracheva, Tennys Sandgren, and Reilly Opelka, on behalf of themselves and all others similarly situated,

-and-

The Professional Tennis Players Association,

Plaintiffs,

v.

ATP Tour, Inc., WTA Tour, Inc., International Tennis Federation Ltd., and International Tennis Integrity Agency Ltd.,

Defendants.

Civil Action No. 1:25-cv-02207-MMG

DECLARATION OF BRENDAN FEENEY

I, Brendan Feeney, declare as follows:

1. I am a Senior Technical IT Project Manager employed by ITF Licensing (UK) Limited, which is a subsidiary undertaking of the ITF Trust, of which another subsidiary undertaking is ITF Limited ("ITF"). I have held that position since January 2022, and I have worked at ITF since November 2017. My role involves the delivery of many of the bespoke IT systems used by the ITF, including the 2019 upgrade of the International Player Identification Number ("IPIN") player entry system. I have personal knowledge of the matters stated below, including based on

my review of the records of ITF kept in the ordinary course of its business, and if called to testify would testify consistent with this declaration.

2. As part of purchasing an IPIN annual membership online, a player must click a button to agree to the Player Welfare Statement.

3. I was asked to retrieve the records of the dates on which each of the following players agreed to the Player Welfare Statement: Vasek Pospisil, Nicholas Kyrgios, Anastasia Rodionova, Nicole Melichar-Martinez, Saisai Zheng, Sorana Cîrstea, John-Patrick Smith, Noah Rubin, Aldila Sutjiadi, Varvara Gracheva, Tennys Sandgren, and Reilly Opelka. In order to do this I searched the ITF system that stores IPIN information. For those players on the above list whose data I could not retrieve directly because that system does not hold data for inactive players, I asked our lead technical architect to obtain the information from an older database. Attached hereto as **Exhibit 1** is a spreadsheet showing these dates.

4. Attached hereto as **Exhibit 2** is the current Player Welfare Statement for 2025. The features of the current Player Welfare Statement reflect the Player Welfare Statement's features since I upgraded the system in 2019. Specifically, since 2019, the Player Welfare Statement webpage has included the following features:

- i. At the top of the webpage is a section titled "Agreements of the Player" that states, in part, that a player is "aware of and will abide by" the applicable World Tennis Tour Regulations. The "Agreements of the Player" section has also stated, in part, the following: "I acknowledge that the Rules and Regulations include

provisions regarding how disputes are to be dealt with . . . and I agree . . . that such dispute shall be dealt with using arbitration (if that is specified)."

- ii. In order for a player to proceed to the IPIN membership checkout page, the player has been required to click the 'Accept' button rather than the 'Decline' button at the bottom of a webpage displaying the text of the then-current Player Welfare Statement.
- iii. Above the 'Accept' and 'Decline' buttons is a section that states the following: "This Agreement shall be governed by and construed in accordance with the laws of England and Wales. Save where the Rules and Regulations provide for another court or tribunal to have jurisdiction, the parties agree to refer any dispute arising out of or in connection with this Agreement to the Court of Arbitration for Sport for final and binding arbitration in accordance with the CAS Code of Sports Related Arbitration, Ordinary Procedure."

5. Attached hereto as **Exhibit 3** is the Player Welfare Statement for 2017. This includes my name at the bottom of the Exhibit. When I joined the ITF in November 2017, I was tasked with updating the IPIN system. One of the early steps that I took was to screenshot the various steps required to sign up for IPIN at that time. From reviewing my records I can see that the screenshot at Exhibit 3 was from 20 December 2017. To the best of my knowledge and belief, the features of the 2017

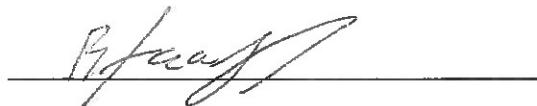
Player Welfare Statement reflect the features of the Player Welfare Statement since it was introduced in approximately 2010 (“IPIN v1”) until it was replaced by my new system in 2019. Those features include the following:

- i. At the top of the Player Welfare Statement webpage was a section titled “Agreements of the Player” stating, in part, that a player is “aware of and will abide by” the applicable ITF Pro Circuit Regulations.
- ii. For a player to proceed to the IPIN membership checkout page, the player would have been required to tick the “checkbox to indicate that [they] . . . have read and accept the IPIN Player Welfare Statement” and then press the ‘Confirm’ button at the bottom of a webpage displaying the text of the then-current Player Welfare Statement.
- iii. Above the checkbox and ‘Confirm’ button was a section stating the following: “This Agreement shall be governed by and construed in accordance with the laws of England and Wales. Save where the Rules provide for another court or tribunal to have jurisdiction, the parties agree to refer any dispute arising out of or in connection with this Agreement to the Court of Arbitration for Sport for final and binding arbitration in accordance with the CAS Code of Sports Related Arbitration.”

6. More generally, my review of ITF's records shows that, since approximately 2010, to proceed to the checkout page and complete their online purchase of an annual IPIN membership, a player first would have been shown an "Agreements of the Player" section stating that the player is "aware of and will abide by" the applicable ITF World Tennis Tour or Pro Circuit Regulations, and then required to acknowledge their agreement to the Player Welfare Statement by clicking a checkbox and/or button at the bottom of the Player Welfare Statement webpage.

7. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 20, 2025, in England.



Brendan Feeney